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Defense Weakens Russo Testimony In N.O. Hearing

Admits Once Saw Oswald Bearded

By F. E. SHEPHERD
Staff Representative

NEW ORLEANS — Dist. Atty. Jim Garrison's star witness in a Kennedy assassination conspiracy plot hearing here today slipped for the first time in testimony which linked Lee Harvey Oswald, New Orleans civic leader Clay Shaw and the late David Ferrie in a conspiracy to murder President John Kennedy.

Baton Rouge Insurance salesman Perry Raymond Russo has maintained for two days, as the prosecution witness, that he did not know Oswald was the same person he overheard discussing the assassination of the president in Ferrie's New Orleans apartment in September, 1963, because he had never seen Oswald without a three or four-day growth of beard.

However, today under cross-examination by defense attorney Irvin Dymond, Russo said he did see Oswald clean-shaven, neatly-dressed and with his hair combed as the accused killer of President Kennedy prepared to leave New Orleans for Houston early in October, 1963.

However, Russo recovered somewhat and explained he meant that the pictures he saw of Oswald immediately after the assassination of Kennedy showed him to be beaten about the face, thereby distorting his features. He said apparently this could have added to his inability to recognize him as the man he knew in New Orleans as Leon Oswald.

Dymond point blank asked Russo "What part did you play in the assassination plot?" Russo replied he had no part in it, and that he did not take part in any attempt on the president's life and did not discuss the matter with Ferrie when he saw him several times some eight months following Nov. 22, 1963, the date of the assassination of the president.

Admits Being Hypnotized

Russo admitted today he had been hypnotized three times between Feb. 27 and March 13 by Dr. Esmond Fatter, a private physician in New Orleans. He said that on each occasion he was in the office of Orleans Parish Coroner Nicholas Chetta, preparatory to undergoing additional questioning by Dist. Atty. Garrison and members of his staff.

Dymond attempted at length to make Russo admit that he was testifying under post-hypnotic suggestion and intimated on several occasions that perhaps the salesman for Equitable Life Assurance Co. was under hypnosis as he was being questioned this morning.

Russo said he could not pinpoint a date when he was hypnotized and did not know how Dr. Fatter placed him under hypnosis, except that he was a willing subject and came out of hypnosis at the count of five.

Russo, who has been very composed in the past two days while testifying that he sat in on a discussion of plans to assassinate President Kennedy by Ferrie, Oswald and a man he knew as Clem Bertrand, today appeared tired and drawn and highly nervous.

However, the 25-year-old Baton Rougean, in the estimation of the more than 150 members of the domestic and foreign press covering the hearing on whether to hold Shaw on formal conspiracy charges, is still holding his own in his battle of words with Shaw's attorneys.

The discrepancy in his testimony about seeing Oswald clean-shaven prior to the assassination was the first miscue by Russo in two days of testimony in the hearing, which may end late tonight if a three-judge district court decides that another whole day will not be required to complete testimony.

Dymond asked the young insurance salesman if he had been aware that Ferrie was arrested shortly after the Kennedy assassination.

A. No sir.

Q. Did David Ferrie ever mention the assassination of President Kennedy?

A. No sir. After the assassination there was a blank spot. I didn't see Ferrie for a while. For about seven or eight months I didn't see Dave Ferrie.

Q. How many times did you see Ferrie between the assassination of President Kennedy and the death of Ferrie?

A. Four, five, six times or so. He seemed to me a broken man after that. I don't know why. But he seemed like a broken man. He talked about the district attorney's office a few times. He

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State Times
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was starting to build up antagonism to the police. He was no longer a participant, but a spectacular man.

Asked About Quizzing Ferrie

Dymond asked Russo why he didn't question Ferrie about the alleged assassination plot.

A. It was typical of Dave as a walking encyclopedia. You did not ask questions. He knew it all.

Dymond quizzed Russo on why he gave earlier statements to newsmen that differed from his testimony.

A. I knew Garrison was doing something about it. I didn't want to make statements to someone not legal.

Q. What about your statement to newsmen that you didn't know Oswald?

A. That remark was blown out of proportion.

Q. But you didn't see fit to divulge that fact that there was a possibility that the Oswald you knew was Lee Harvey Oswald?

A. They said he acted alone. It was just a voice in the wilderness.

Shaw, 54, a wealthy retired executive, chain-smoked and watched impassively as his lawyers tried Wednesday to destroy Russo's credibility.

Why did Russo wait three years to tell authorities about an alleged conspiracy to kill President John F. Kennedy? The defense attorney, F. Irvin Dymond, asked.

Why didn't Russo recognize Lee Harvey Oswald, the one-time New Orleans resident named as the assassin, from television and newspaper photographs shown at the time? Dymond asked.

Russo, of Baton Rouge, had told the three-judge criminal district court panel he was present in mid-September 1963 when Shaw, Oswald and David W. Ferrie plotted to kill the President.

Kennedy was shot about two months later in Dallas.

Shaw, both of but not formally charged with conspiracy to murder, has said he never knew Oswald or Ferrie. Free under $10,000 bond he is the only man of the three named by Russo still living.

Ferrie, 49, a free-lance pilot with a record of morals offenses, died last Feb. 22 while under investigation by Dist. Atty. Jim Garrison. The death was officially listed as due to natural causes.

Cites Whiskers

Oswald was killed in Dallas after the assassination.

Russo, stolid under Dymond's questioning, said Oswald had seemed vaguely familiar when he saw photographs of him in 1963, but it wasn't until "they put whiskers on him" that he knew Oswald was the same man he had seen in Ferrie's apartment.

"Who put whiskers on him?" said Dymond.

"One of the artists," replied Russo. He pointed out a man seated with a cluster of assistant district attorney's at the prosecution table. Garrison was not present.

Asst. Dist. Atty. James L. Alcock arose and handed over a picture of a rather shaggy Oswald. "Perhaps this will help the court." At this point, the hearing adjourned, ending its second day.

Russo, a darkly intense man, agreed under cross-examination that he must have seen photographs of Oswald many times since the assassination.

"What finally succeeded in making you sure that Lee Harvey Oswald and Ferrie's roommate were one and the same?" demanded Dymond.

Russo said the pictures he had seen were of a neat Oswald, whereas the "Leon Oswald" he had seen at Ferrie's cluttered apartment "was half shaven, his hair mussed. He was a beatnik."

After contacting Garrison by letter last month, he added, an agent arrived and began showing him various photographs of Oswald.

Russo said he stopped the process, after being shown a picture of Oswald disheveled, and told the agent: "That's not Oswald. That's Ferrie's roommate."

It was after this that Russo came under full interrogation by Garrison's staff, including the use of sodium pentothal — the so-called "truth serum," a controversial term among some psychologists who say it often does not really guarantee true statements.

As to why he didn't come forward with his report of a conspiracy in 1963, Russo said he was involved in school work at the time — a reply that left Dymond apparently aghast.

Besides, said Russo, Oswald was shot to death by Jack Ruby in a Dallas police station, two days after the assassination — and the Warren commission said no one else was involved in the assassination.

"I didn't know Ferrie was being investigated until I saw a story on the Garrison investigation in the newspaper," said Russo.

This statement made some observers wonder whether Russo really was Garrison's legal ace in the hole.

After the first reports of the investigation were disclosed, Garrison said he was certain of arrests and convictions in his probe — which started last October.

During cross-examination, Russo said he last saw Oswald at Ferrie's apartment in early October 1963.

Quizzed on Oswald Departure

"Are you aware that Oswald left New Orleans on the 25th of September to go to Mexico and never returned here?" said Dymond.

Asst. Dist. Atty. Charles R. Ward promptly objected. Oswald's departure had never been proven in this court, he said.

Dymond signaled and assistants began producing cardboard boxes.

"You are not going to introduce the Warren commission report are you?" asked Judge Bernard Bagert.

"Yes," said Dymond.

"You're not serious are you?" the judge said, raising his voice.

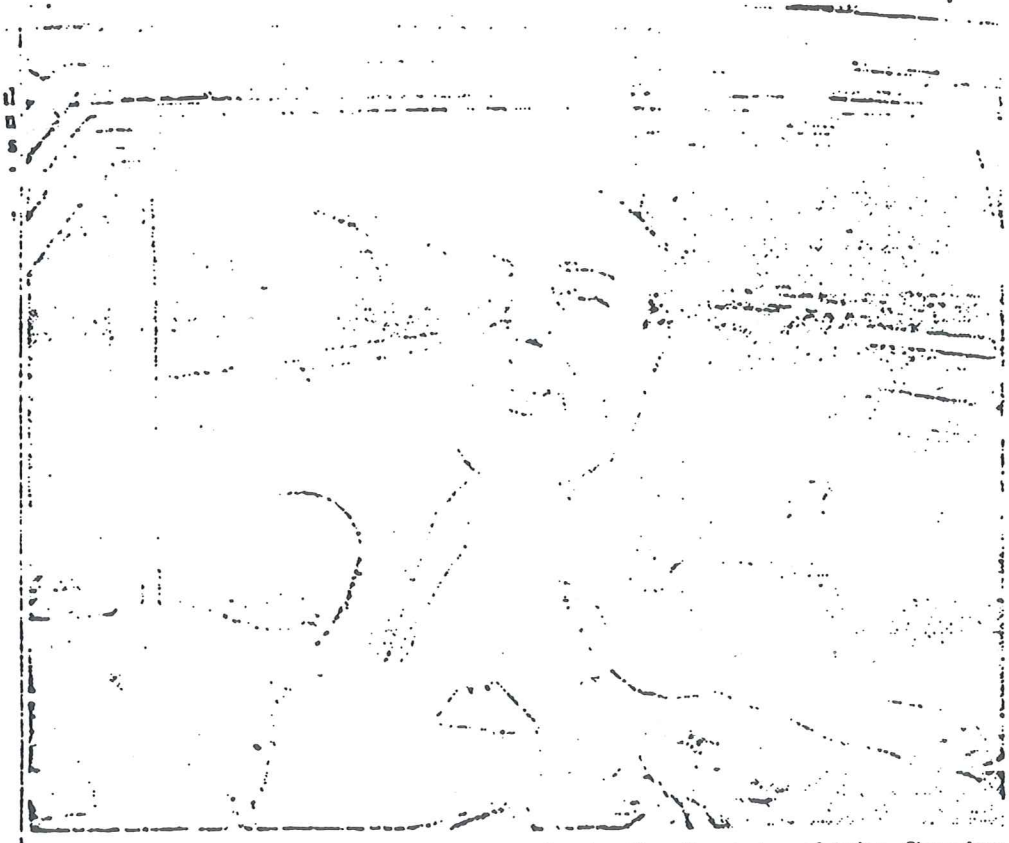
Dymond said he was.

"You're wrong! You're overruled!"

The Warren commission report documents in great detail Oswald's departure from New Orleans and subsequent relocation in Dallas, where his wife and child were living.

In Dallas, Oswald's widow said Wednesday she never heard of Ferrie or Shaw while she lived in New Orleans.

Security was intensified at the courtroom, on the second floor of the gray stone Criminal Courts Building. Men who entered were frisked thoroughly. Women police examined female spectators and newswomen.



EXPECTS HEARING TO END — Criminal Judge Bernard Bagert is shown as he left the Criminal Courts Building in New Orleans yesterday. Judge Bagert told newsmen that he expected the preliminary hearing for Clay Shaw's to end today. Shaw has been accused by Dist. Attorney Jim Garrison to be involved in a plot to murder President Kennedy. —AP wirephoto